

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KEVIT BREWER, aka MICHAEL GREEN, No. C-11-0930 TEH (PR)
Plaintiff, ORDER OF DISMISSAL; NEW ACTION
v. FILED IN ERROR; NO FILING FEE
DUE
ALTA BATES SUMMIT MEDICAL CENTER, (Doc. #1)
Defendant.

On February 28, 2011, Plaintiff filed a "Motion for Appointment of Counsel" (Doc. #1), which the clerk filed as a new civil action. Brewer v. Alta Bates Summit Medical Center, No. C-11-0930-TEH (PR) (N.D. Cal. filed Feb. 28, 2011). In a letter filed with the Court on March 14, 2011, Plaintiff explains that he intended that his motion be filed in an action already pending in this Court, Green v. Alta Bates Summit Medical Center, No. C-11-0685-SI (PR) (N.D. Cal. filed Feb. 15, 2011). Plaintiff asks that the action filed under No. C-11-0930-TEH (PR) be DISMISSED as filed in error.

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1 Good cause appearing, Plaintiff's request is GRANTED. The
2 instant action is DISMISSED as filed in error. No filing fee is
3 due.

4 The Clerk shall terminate any pending motions as moot and
5 close the file.

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7 IT IS SO ORDERED.

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9 Dated: 03/16/2011

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11 THELTON E. HENDERSON
12 United States District Judge

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